

KEMP JONES, LLP  
3800 Howard Hughes Parkway  
Seventeenth Floor  
Las Vegas, Nevada 89169  
(702) 385-6000 • Fax (702) 385-6001  
kjc@kempjones.com

**KEMP JONES**

Michael J. Gayan (SBN 11135)  
Wells Fargo Tower, 17<sup>th</sup> Floor  
3800 Howard Hughes Parkway  
Las Vegas, NV 89169  
T: 702.385.6000 | F: 702.385.6001  
[m.gayan@kempjones.com](mailto:m.gayan@kempjones.com)

**DLA PIPER LLP (US)**

David S. Sager (Pro Hac Vice Forthcoming)  
51 John F. Kennedy Parkway, Suite 120  
Short Hills, New Jersey 07078  
T: 973.520.2550 | F: 973.520.2551  
[david.sager@us.dlapiper.com](mailto:david.sager@us.dlapiper.com)

Kyle T. Orne (Pro Hac Vice Forthcoming)  
2525 East Camelback Road, Suite 1000  
Phoenix, AZ 85016  
T: 480.606.5100 | F: 480.606.5101  
[dlaphx@us.dlapiper.com](mailto:dlaphx@us.dlapiper.com)

*Attorneys for Defendants Venetian Casino  
Resort, LLC and Las Vegas Sands LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

A.H., an Individual,

Plaintiff,

v.

WYNN LAS VEGAS, LLC, a Nevada  
Limited Liability Company; WYNN LAS  
VEGAS HOLDINGS, LLC, a Nevada  
Limited Liability Company; WYNN  
AMERICA GROUP, LLC, a Nevada Limited  
Liability Company; WYNN RESORTS  
FINANCE, LLC, a Nevada Limited Liability  
Company; WYNN RESORTS HOLDINGS,  
LLC, a Nevada Limited Liability Company;  
WYNN RESORTS, LIMITED, a Nevada  
Corporation; ARIA RESORT & CASINO,  
LLC, a Nevada Limited Liability  
Company; ARIA RESORT & CASINO  
HOLDINGS, LLC, a Nevada Limited

Case No.: 2:24-cv-01041-GMN-NJK

**AMENDED JOINT MOTION AND  
~~PROPOSED~~ ORDER TO EXTEND  
DEADLINE FOR CERTAIN  
DEFENDANTS TO RESPOND TO  
PLAINTIFF'S AMENDED  
COMPLAINT (ECF NO. 1-1)**

**(FIRST REQUEST)**

KEMP JONES, LLP  
 3800 Howard Hughes Parkway  
 Seventeenth Floor  
 Las Vegas, Nevada 89169  
 (702) 385-6000 • Fax (702) 385-6001  
 kic@kempjones.com

Liability Company; MGM RESORTS INTERNATIONAL, a Delaware Corporation; VENETIAN CASINO RESORT, LLC, d/b/a THE VENETIAN LAS VEGAS, a Nevada Limited Liability Company; LAS VEGAS SANDS, LLC d/b/a THE VENETIAN LAS VEGAS, a Nevada Limited Liability Company; NEW YORK-NEW YORK HOTEL & CASINO, LLC d/b/a NEW YORK-NEW YORK HOTEL AND CASINO, a Nevada Limited Liability Company; CITYCENTER LAND, LLC, a Nevada Limited Liability Company; ACE A PROPCO LLC, a Delaware Limited Liability Company; DOES I-X; ROE BUSINESS ENTITIES XI-XX, inclusive,

Defendants.

Plaintiff A. H. ("Plaintiff") and Defendants WYNN LAS VEGAS, LLC; WYNN LAS VEGAS HOLDINGS, LLC; WYNN AMERICA GROUP, LLC; WYNN RESORTS FINANCE, LLC; WYNN RESORTS HOLDINGS, LLC; WYNN RESORTS, LIMITED (together, "Wynn Defendants"); VENETIAN CASINO RESORT, LLC; LAS VEGAS SANDS, LLC (together, "Venetian Defendants"); ARIA RESORT & CASINO, LLC; ARIA RESORT & CASINO HOLDINGS, LLC; MGM RESORTS INTERNATIONAL; NEW YORK-NEW YORK HOTEL & CASINO, LLC; and CITYCENTER LAND, LLC (together, "MGM Defendants" and together with Wynn Defendants and Venetian Defendants, "Certain Defendants"), by and through their respective counsel of record (collectively, the "Parties"), hereby jointly agree and move to extend Certain Defendants' deadline to respond to Plaintiff's Amended Complaint in accordance with LR 7-1(c).

## I.

### JOINT MOTION

1. WHEREAS, Plaintiff filed the Amended Complaint on May 8, 2024, in the Eighth Judicial District Court, Clark County, Nevada. ECF No. 1-1 at 5–110.

2. WHEREAS, Plaintiff served the Amended Complaint on Certain Defendants on May 16, 2024. ECF No. 1-2.

3. WHEREAS, Venetian Defendants removed this action to this Court on June 3, 2024. ECF No. 1. As stated in the Notice of Removal, the Venetian Defendants have been unable to ascertain who represents Defendant Ace A Propco, LLC for this action. *Id.* at ¶ 15. For that reason, this Joint Motion does not include Defendant Ace A Propco, LLC.

4. WHEREAS, the MGM Defendants have and continue to investigate the identity and role of Defendant, Ace A Propco, LLC.

5. WHEREAS, Rule 81(c) of the Federal Rules of Civil Procedure provides that Certain Defendants' deadline to respond to the Amended Complaint is the longest of 21 days after receiving the Complaint, 21 days after being served with the summons for an initial pleading on file at the time of service, or 7 days after the notice of removal is filed. Certain Defendants' current deadline to respond to the Amended Complaint is June 10, 2024.

6. WHEREAS, the operative Complaint names multiple entities that the Wynn Defendants and the Venetian Defendants contend are improper parties to the above-captioned lawsuit.

7. WHEREAS, the Wynn, the MGM, and Venetian Defendants shall use the requested additional time to identify the proper parties in interest with respect to Plaintiff's claims and to meet and confer with Plaintiff's counsel regarding the same.

8. WHEREAS, if the Parties are able to reach an agreement regarding the proper and necessary defendants to be named prior to the extended deadline to respond to the Complaint, the Parties shall submit a Joint Motion to amend the operative Complaint (to dismiss certain current Defendants, add new Defendants, and amend the caption).

9. WHEREAS, allowing the Wynn, the MGM, and the Venetian Defendants additional time to reach an agreement regarding the proper and necessary defendants will allow for orderly and streamlined motion practice limited to the proper parties in interest. The extension requested by this motion will also conserve the Court's resources and streamline

KEMP JONES, LLP  
3800 Howard Hughes Parkway  
Seventeenth Floor  
Las Vegas, Nevada 89169  
(702) 385-6000 • Fax (702) 385-6001  
kjc@kemplaw.com

1 motion to dismiss briefing, as it will ensure that Certain Defendants remain on the same briefing  
2 schedule.

3 10. WHEREAS, the Parties agree that Certain Defendants' deadline to respond to the  
4 Complaint shall be extended from the current deadline until **July 8, 2024**.

5 **IT IS SO STIPULATED.**

6 DATED this 12th day of June, 2024.

DATED this 12th day of June, 2024.

7 **KEMP JONES, LLP**

**CLAGGETT & SYKES LAW FIRM**

8 /s/ Michael Gayan

/s/ Brian Blankenship

9 Michael J. Gayan, Esq. (#11135)  
10 Wells Fargo Tower, 17<sup>th</sup> Floor  
3800 Howard Hughes Parkway  
Las Vegas, NV 89169  
11 [m.gayan@kempjones.com](mailto:m.gayan@kempjones.com)

Sean K. Claggett  
Brian Blankenship  
Scott E. Lundy  
4101 Meadows Lane, Suite 100  
Las Vegas, NV 89107  
[sclaggett@claggettlaw.com](mailto:sclaggett@claggettlaw.com)  
[brian@claggettlaw.com](mailto:brian@claggettlaw.com)  
[scott@claggettlaw.com](mailto:scott@claggettlaw.com)

12 **DLA PIPER LLP (US)**

13 David S. Sager (Pro Hac Vice Forthcoming)  
51 John F. Kennedy Parkway, Suite 120  
Short Hills, New Jersey 07078  
14 [david.sager@us.dlapiper.com](mailto:david.sager@us.dlapiper.com)

**LEVIN PAPANTONIO RAFFERTY**

Kimberly L. Adams  
Matthew D. Schultz  
316 South Baylen Street  
Pensacola, FL 32502  
[kadams@levinlaw.com](mailto:kadams@levinlaw.com)  
[mschultz@levinlaw.com](mailto:mschultz@levinlaw.com)

15 Kyle T. Orne (Pro Hac Vice Forthcoming)  
2525 East Camelback Road, Suite 1000  
Phoenix, AZ 85016  
16 [dlaphx@us.dlapiper.com](mailto:dlaphx@us.dlapiper.com)

17 *Attorneys for Defendants Venetian Casino*  
18 *Resort, LLC and Las Vegas Sands LLC*

*Attorneys for Plaintiff*

19 DATED this 12th day of June, 2024.

DATED this 12th day of June, 2024.

20 **SNELL & WILMER**

**KNIGHT & RYAN PLLC**

21 /s/ Dawn Davis

/s/ Robert Ryan

22 Patrick G. Byrne  
23 Dawn Davis  
24 3883 Howard Hughes Parkway, Suite 1100  
25 Las Vegas, NV 89169  
[pbyrne@swlaw.com](mailto:pbyrne@swlaw.com)  
26 [ddavis@swlaw.com](mailto:ddavis@swlaw.com)

Robert A. Ryan  
8880 W Sunset Road, Suite 130  
Las Vegas, NV 89148  
[robert@knightryan.com](mailto:robert@knightryan.com)

27 **JONES DAY**

28 Bethany Biesenthal

**DLA PIPER LLP (US)**

Angela Agrusa  
2000 Avenue of the Stars, Suite 400  
Los Angeles, CA 90067

KEMP JONES, LLP  
3800 Howard Hughes Parkway  
Seventeenth Floor  
Las Vegas, Nevada 89169  
(702) 385-6000 • Fax (702) 385-6001  
[kic@kempjones.com](mailto:kic@kempjones.com)

KEMP JONES, LLP  
3800 Howard Hughes Parkway  
Seventeenth Floor  
Las Vegas, Nevada 89169  
(702) 385-6000 • Fax (702) 385-6001  
kjc@kemplaw.com

Allison McQueen  
110 North Wacker Drive, Suite 4800  
Chicago, IL 60606  
[bbiesenthal@jonesday.com](mailto:bbiesenthal@jonesday.com)  
[amcqueen@jonesday.com](mailto:amcqueen@jonesday.com)

[angela.agrusa@us.dlapiper.com](mailto:angela.agrusa@us.dlapiper.com)

Ellen Dew  
Harbor East 650 S. Exeter Street, Suite 1100  
Baltimore, MD 21202  
[ellen.dew@us.dlapiper.com](mailto:ellen.dew@us.dlapiper.com)

Nicole M. Perry  
717 Texas Street, Suite 3300  
Houston, TX 77002  
[nmperry@jonesday.com](mailto:nmperry@jonesday.com)

*Attorneys for Defendants MGM Resorts  
International; New York New York Hotel &  
Casino, LLC; Aria Resort & Casino, LLC;  
CityCenter Land LLC*

*Attorneys for Defendants Wynn Las Vegas,  
LLC; Wynn Las Vegas Holdings, LLC; Wynn  
America Group, LLC; Wynn Resorts  
Financing LLC; Wynn Resorts Holdings,  
LLC; Wynn Resorts, Limited*

**II.**

**ORDER**

Based on the foregoing Amended Joint Motion by the Parties, and for other good cause appearing,

**IT IS HEREBY ORDERED** that the Parties' Amended Joint Motion to Extend Certain Defendants' Deadline to Respond to Plaintiff's Amended Complaint is **GRANTED**.

**IT IS FURTHER ORDERED** that the deadline for Defendants WYNN LAS VEGAS, LLC; WYNN LAS VEGAS HOLDINGS, LLC; WYNN AMERICA GROUP, LLC; WYNN RESORTS FINANCE, LLC; WYNN RESORTS HOLDINGS, LLC; WYNN RESORTS, LIMITED; ARIA RESORT & CASINO, LLC; ARIA RESORT & CASINO HOLDINGS, LLC; MGM RESORTS INTERNATIONAL; VENETIAN CASINO RESORT, LLC; LAS VEGAS SANDS, LLC; NEW YORK-NEW YORK HOTEL & CASINO, LLC; and CITYCENTER LAND, LLC to respond to Plaintiff's Amended Complaint is hereby extended until **July 8, 2024**.

**IT IS SO ORDERED.**

DATED this 13th day of June, 2024.

In addition, the earlier motion to extend (Docket No. 7) is **DENIED** as moot.

  
\_\_\_\_\_  
United States Magistrate Judge